

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BLUE RIBBON COMMODITY
TRADERS, INC.,

Plaintiff

v.

PROGRESSO CASH & CARRY,

Defendant.

CIVIL ACTION

No. 07-4122

July 30, 2010

ORDER

AND NOW, on this date of July 30, 2010, for the reasons stated in the accompanying memorandum, defendant's motion for summary judgment is **GRANTED IN PART** and **DENIED IN PART**.

BY THE COURT:

/s/Louis H. Pollak
Pollak, J.